

**ASSEMBLY BILL**

**No. 2343**

**Introduced by Assembly Member Ducheny**

February 24, 2000

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An act to add Section 21080.6 to the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 2343, as introduced, Ducheny. California Environmental Quality Act: exemption.

The existing California Environmental Quality Act (CEQA) generally requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment, as defined, or to adopt a negative declaration if it finds that the project will not have that effect.

This bill would exempt from the act a development project in an urbanized area that, among other things, consists of the construction, conversion, or use of residential housing that contains not more than 200 housing units, is located within a community or neighborhood revitalization area, as defined in the bill, and is subject to an assessment prepared by a California registered environmental assessor.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 21080.6 is added to the Public  
2 Resources Code, to read:

3 21080.6. (a) This division does not apply to any  
4 development project in an urbanized area that consists of  
5 the construction, conversion, or use of residential housing  
6 if the development project meets all of the following  
7 requirements:

8 (1) The development project contains not more than  
9 200 housing units.

10 (2) The development project is consistent with the  
11 jurisdiction's general plan or any applicable specific plan  
12 or local coastal program as it existed on the date that the  
13 application was deemed complete.

14 (3) The development project is located in a  
15 community or neighborhood revitalization area.

16 (4) The development project is located within  
17 one-half mile of a major employment center or within  
18 one-quarter mile of a major public transportation node.

19 (5) The development project proposes to include, or  
20 is located within one-quarter mile of, a neighborhood  
21 convenience store, or is zoned to accommodate a  
22 neighborhood convenience store.

23 (6) The project site is subject to an assessment  
24 prepared by a California registered environmental  
25 assessor to determine the presence of hazardous  
26 contaminants on the site and the potential for exposure  
27 of site occupants to significant health hazards from  
28 nearby properties and activities. If hazardous  
29 contaminants on the site are found, the contaminants  
30 shall be removed or any significant effects of those  
31 contaminants shall be mitigated to a level of  
32 insignificance. If the potential for exposure to significant  
33 health hazards from surrounding properties or activities  
34 is found to exist, the effects of the potential exposure shall  
35 be mitigated to a level of insignificance.

36 (b) For purposes of this section, the following  
37 definitions apply:



1 (1) “Urbanized area” means an area that has a  
2 population density of at least 1,000 persons per square  
3 mile.

4 (2) “Community or neighborhood revitalization area”  
5 means an area officially designated by a local agency to  
6 be the focus of revitalization or similar redevelopment  
7 efforts.

8 (3) “Major employment center” means a commercial  
9 facility that employs at least 1,000 workers or has a floor  
10 area of at least 15,000 square feet.

11 (4) “Major transportation node” means a site where  
12 two or more mass transit services, or one mass transit  
13 service with three or more mass transit lines are  
14 accessible to the public.

